

**AMENDMENTS TO THE DRAWINGS**

Figures 1, 2, 4 and 8 are proposed to be revised as marked in red ink on the attached copies of these Figures. Corrections will be made to the formal drawings upon receipt of permission from the Examiner and an indication of allowable subject matter.

Attachment: Annotated Sheet Showing Changes

**REMARKS/ARGUMENTS**

Claims 27-50 now stand in the present application, replacing original claims 1-26. Reconsideration and favorable action is respectfully requested in view of the above-described claim amendments and the following remarks.

In the Office Action, the Examiner has objected to the drawings for a number of deficiencies. As noted above, Applicants have submitted proposed corrections marked in red ink on Figures 1, 2, 4 and 8. More particularly, Figure 1 has been marked in red ink as "Prior Art," Figure 2 has been revised so as to reflect "Tag 1, Tag 2 and Tag 3," Figure 4 has been revised so as to reflect "Tag 67" and Figure 8 has been revised so that block 118 is designed as a "splitter." With respect to the revision to Figure 4, it should be noted that this Figure has been revised in accordance with the specification amendment which was provided in the Preliminary Amendment dated August 7, 2003 in which the paragraph beginning at page 8, line 28, was amended so as to refer to a "Tag 67." In view of the above-described proposed revisions to the drawings, the Examiner's objections to the drawings is believed to have been overcome.

The Examiner has also objected to the Abstract and to the disclosure at page 11, line 9. With respect to the Abstract, Applicants note that the corrections required by the Examiner have already been made in the aforementioned Preliminary Amendment dated August 7, 2003. With respect to the specification, Applicants have corrected the disclosure as noted above. Accordingly, the Examiner's objections to the Abstract and the disclosure are believed to have been overcome.

The new independent claims 27, 33, 39 and 45 directed to a system, method, transponder and integrated circuit, respectively, all refer to the reader transmitting a

reader signal at a pre-selected frequency and the mute instruction comprising a modulation of the reader signal whilst the reader signal is maintained at the said pre-selected frequency.

Thus, the new claims distinguish from those granted in U.S. Patent 6,661,336 B1 which have no reference to these features. In addition, the revised main claims of the subject application have no reference to the modification of the reader signal occurring immediately after successful identification of the controlling transponder signal, the modification of the reader signal always occurring for a period shorter than the length of the controlling transponder signal. Accordingly, it is believed the new independent claims and all claims dependent thereon are now clearly distinguished over the claims in U.S. Patent 6,661,336 B1, and each of the revised claims overcomes the individual claim objections under double patenting in pages 14 to 23 of the Official Action.

The Examiner has also rejected claims 1-8 and 11-26 under 35 U.S.C. § 103 as being unpatentable over Marsh et al. (U.S. Patent 5,966,083) in view of Stobbes et al. (U.S. Patent 5,751,570). Applicants respectfully traverse the rejection.

Applicants respectfully disagree with the Examiner's interpretation of the passage at column 1, lines 43-50 of Marsh et al. Marsh describes a reader/tag protocol in which the reader receives successfully a response signal from a tag and modifies the reader signal to mute the tag. As each tag is identified, the identified tag is muted reducing the number of tags transmitting by one, the unidentified tags repeatedly transmitting their identities at random or pseudo-random intervals until they too are identified and muted one by one. This significantly differs from Applicants' invention in which once a transponder signal has been recognized the reader immediately issues a mute

instruction, muting all other active transponders and passing control to the transponder that has been recognized.

The passage in column 5, lines 27-40 of Marsh envisages an embodiment in which all the tags of a particular category are disabled until one receives its code. There is no muting of all other active tags immediately upon recognition of a transponder signal.

Yet a further distinguishing feature of the present claims over Marsh et al. lies in muting all other active transponders and passing control to the transponder, without the need for a specifically timed acknowledgement to the said controlling transponder. This distinguishing feature is acknowledged by the Examiner in the first full paragraph on page 9 of the Official Action.

In Stobbes the reader first waits for a collision between signals to be detected before it sends a signal causing the various transponders to respond in accordance after respective deadtimes. This differs from Applicants' invention in which the objective is to prevent any collision of response signs occurring at all, if possible, and for that reason a mute signal is transmitted immediately when a transponder signal is received without waiting for a collision to first occur. An additional distinction is that in Applicants' invention, control is passed to the transponder without the need for a specifically timed acknowledgement. In Stobbes the reader sends its occupied signal D after a certain time T2, which serves as a specifically timed acknowledgement to the transponder whose data has been received.

Moreover, the teachings of Marsh et al. and Stobbes are different to one another, Marsh muting one transponder at a time and having no means for muting all the active

transponders immediately after a transponder signal has been recognized. While Stobbes adopts a completely different protocol in which the transponders are adapted to respond together in the first instance to create a collision of transponder signals, before a collision signal C from the reader is transmitted to instruct the transponders to transmit in a more random fashion. A person skilled in the art would consider the two protocols taught to be incompatible and addressing diametrically opposite solutions to the problems associated with identifying and inventorying groups of transponders, their teachings not therefore being considered combinable. Furthermore they are both markedly different in operation to the subject invention for the reasons already described above.

Accordingly, it is submitted that the newly presented independent claims patentably define over Marsh and Stobbes, as do the dependent claims being all dependent on the novel and inventive independent claims. The objections raised against the dependent claims are therefore moot.

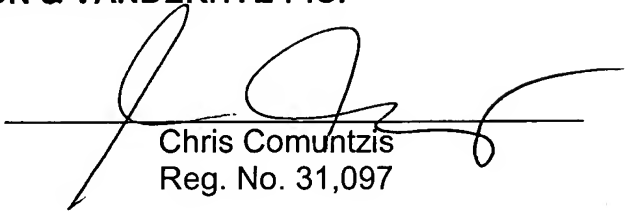
Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 27-50, now standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

ATKINS et al  
Appl. No. 10/635,683  
May 17, 2005

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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